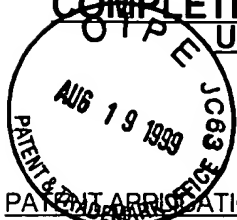


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMPLETION OF FILING NATIONAL PHASE OF PCT APPLICATION

UNDER RULE 35 USC 371 AND 37 CFR 1.494(c) OR 1.495(c)



COMPLETION  
For PCT Cases Only

BOX PCT

In re PATENT APPLICATION of

Inventor(s): Müller

Appln. No.: 09 319,541

Series Code I

Serial No. I

Atty. Dkt.

62-659

50781

M#

Client Ref

National Phase Filed:

Based on PCT EP97 06893

Country Code

(Our Deposit Account No. 50-0687)

(Our Order No.

62-659

C#

M#

Title: PREPARATION IN FORM OF A MATRIX-AUXILIARY AGENT COMPOUND CONTAINING OPTIONALLY AN ACTIVE SUBSTANCE

Date: August 19, 1999

524 Rec'd PCT/PTO 19 AUG 1999

FILING OF ITEM(S) LATE IN PCT/USA NATIONAL CASE

Hon. Asst. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

The following completes the filing of the subject application under Rule 494(c)/495(c). Please accept the following attached items:

1. Missing Requirements Notice (PCT/DO/EO/905) ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration ☐ Original ☐ Facsimile/Copy ☐ with spec/claims attached
3. ☐ Translation of the International Application into English including:
  - a. ☐ Request;
  - b. ☐ Abstract
  - c. ☐ pgs. Spec. and Claims;
  - d. ☐ Translation verification
  - e. ☐ sheets Drawing which are ☐ informal ☐ formal of size ☐ A4 ☐ 11" ☐ 13" ☐ 14"
4. ☐ a copy of International Search Report (ISR) attached ( ☐ page(s))
  - a. ☐ plus Annex of family members ( ☐ page(s))
5. Information Disclosure Statement including:
  - a. ☐ Form PTO-1449 listing documents
  - b. ☐ Copies of document(s) listed on Form PTO-1449
  - c. ☐ A concise explanation of ISR references is given in the ISR
6. ☒ Assignment and cover sheet. Please return the recorded assignment to the undersigned.
7. ☐ Copy of Power to international application agent
8. ☐ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
9. ☐ Formal Drawings: ☐ sheet(s) ☐ informal; ☐ formal of size: ☐ A4 ☐ 11" ☐ 13" ☐ 14"

10. ☒ Please immediately start national examination procedures (35 USC 371(f))11. ☐ Attached:12. ☐ Preliminary Amendment:13. ☒ Basic U.S. National fee per Rule 492(a)(1)-(4) was previously timely filed.

14. Calculation of remaining fees due (if any): based on amended claim(s) per above item

☐ 12 (above) or item(s)☐ 12☐ 14☐ 17☐ 2515. CLAIMS FEES ☒ previously paid ☐ paid herewith as follows:

				Large/Small Entity		Fee Code	
16. Total Effective Claims		minus 20 =		x \$	+	966/967	
17. Independent Claims		minus 3 =		x \$	+	964/965	
18. If <u>any</u> proper multiple dependent claim (ignore improper) is present, add				\$	+	968/969	
19. Filing Declaration late, fee paid	<input checked="" type="checkbox"/> previously		now	\$	+	154/254	
20. SUBTOTAL =				\$			
21. <u>Original</u> due date:							
22. <b>Petition is hereby made</b> to extend the original due date to cover the date this response is filed for which the requisite fee is attached				(1 months) (2 months) (3 months) (4 months) (5 months)	\$ \$ \$ \$ \$	+	115/215 116/215 117/217 118/218
23. TOTAL				\$			
24. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				\$	+	156	
25. If "assignment" box 6 is X'd, add recording fee				\$40	+	581	
26. TOTAL FEE ENCLOSED =				\$ 40			

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Farkas &amp; Manelli, PLLC

By: Atty: Jeffrey S. Melcher

Reg. No. 35,950

Customer No. : 20736

Sig:

Fax: (202) 887-0336

Tel: (202) 261-1045

NOTE: File in duplicate with PTO return receipts & attachments

09319541



UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: ASSISTANT COMMISSIONER FOR PATENT  
 Box PCT  
 Washington, D.C. 20231

U.S. APPLICATION NO. 097319,541	FIRST NAMED APPLICANT MULLER	ATTY. DOCKET NO. R 62-659-50781		
INTERNATIONAL APPLICATION NO. PCT/EP97/06893				
<table border="1"> <tr> <td>I.A. FILING DATE 12/10/97</td> <td>PRIORITY DATE 12/12/96</td> </tr> </table>			I.A. FILING DATE 12/10/97	PRIORITY DATE 12/12/96
I.A. FILING DATE 12/10/97	PRIORITY DATE 12/12/96			

FARKAS & MANELLI  
 2000 M STREET NW  
 7TH FLOOR  
 WASHINGTON DC 20036-3307

5071

DATE MAILED 07/30/99

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):  
☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☒ non-English language.  
☐ English.  
☒ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☐ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☒ Preliminary amendment(s) filed 8 June 99 and \_\_\_\_\_  
☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_  
☐ Statement Claiming Small Entity Status.  
☒ Priority Document.  
☒ Copy of the International Search Report ☒ and copies of the references cited therein.  
☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). \* PREPAID

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 325-3619